

REMARKS

This is a response to the Office Action dated October 8, 2003.

SUMMARY OF OFFICE ACTION

In the Office Action, the Examiner rejected Claims 1-8 under 35 U.S.C. § 102(a) (b)and/or (e) as being anticipated by Larson (U.S. Patent No. 5,245,652), Trempala (U.S. Patent No. 5,612,683) or Glick (U.S. Patent No. 5,749,253). The heading for the claim rejections refers to 35 U.S.C. § 103. However, since the explanatory text of the Office Action does not explain the reasons for rejecting Claims 1-8 under 35 U.S.C. § 103, Applicant understands Claims 1-8 to be rejected under 35 U.S.C. § 102 only. Applicant responds to the Office Action with such understanding.

APPLICANT'S RESPONSE

In the Office Action, the Examiner rejected Claim 1 under 35 U.S.C. § 102(a), (b) and/or (e) as being anticipated by Larson, Trempala or Glick. In response, Applicant has amended Claim 1 by specifying that a first date sensitive key access code for the first enclosure is generated and operative to allow access to the first enclosure only on the first day, and a second date sensitive key access code for the second enclosure is generated to allow access to the second enclosure only on the second day. Also, the first and second date sensitive key access codes are loaded in the key.

The invention recited in Claim 1 relates to a user that may be assigned to travel a vending machine route to add more products into vending machines, as explained in paragraph 53 of the instant specification. For example, the vending machine route may vary from day to day such that a first day may require the user to travel a route to access vending machines associated with a first enclosure, third enclosure and fourth enclosure. The user may also be required to travel the vending machine route to access vending machines associated with a second enclosure, fifth enclosure and sixth enclosure on a second day. The manager may enable the user's key to access the first, third and fourth enclosures only on the first day and allow access to the second, fifth and sixth enclosures only on the second day. To this end, respective access codes for the enclosures are generated and loaded onto the key

such that the user may not open the second enclosure on the first day nor the first enclosure on the second day. This provides the manager a great deal of control over the movement of the user. Although the invention recited in Claim 1 was discussed in relation to a vending machine route in the instant specification, the invention recited in Claim 1 is not limited to a vending machine route but may also be employed in various other situations such as lock boxes for real estate, etc..

Applicants respectfully submit that in view of the amendments, Larson, Trempala and Glick do not disclose all of the limitations recited in amended Claim 1. For example, in Larson, such disclosure does not disclose generating respective first and second date sensitive key access codes to allow access to the first enclosure and second enclosure only on the first day and the second day, respectively. Rather, as understood, the key of Larson allows access to the first enclosure and the second enclosure on the first day and as well as on the second day depending on the expiration date. In support thereof, Applicant respectfully directs the Examiner's attention to column 7, lines 9-13 which explain that the key may have (1) a key expiration date or (2) an expiring key access code. The key expiration date is further explained in column 18, line 42 to column 19, line 33. As understood, the key is either entirely activated or deactivated. Accordingly, the access codes therein allow access to their respective enclosures as long as the key is activated. Hence, first and second access codes loaded onto the key may allow access to the first and second enclosures on the first as well as the second days.

The expiring key access code is further described in column 25, line 43 to column 26, line 25. Such referenced section explains that the access codes may have associated therewith an expiration date. However, even if the expiration date for the first access code is on a first day and the expiration date for the second access code is on a second date, the first and second access codes allow access to the first and second enclosures, respectively, on the first date. Accordingly, Larson does not disclose the invention recited in amended Claim 1.

Applicant also respectfully submits that the specification of Glick does not disclose the limitations recited in amended Claim 1. As understood, Glick is related to opening and closing doors as well as tracking the specific individual opening and closing the doors. In support thereof, Applicant respectfully directs the Examiner's attention to Figures 1 and 2 of

the specification of Glick. Accordingly, Glick does not disclose the invention recited in amended Claim 1.

With respect Trempala, such disclosure is understood to be related to decrypting a code only if the real time clock of the decoder unit is synchronized to the real time clock of the encoder unit. (column 3, lines 22-26). Accordingly, such disclosure does not disclose the invention recited in amended Claim 1.

Hence, Applicant respectfully submits that the cited prior art does not disclose, suggest or make obvious the invention recited in Claim 1. Claim 1 is believed to be in condition for allowance. Also, the dependent claims of Claim 1, namely, Claims 2-5 are also believed to be in condition for allowance for being dependent upon an allowable base claim and for containing additional patentable subject matter.

Applicant acknowledges receipt of the prior art made of record and not relied upon, but considered by the Examiner to be pertinent to Applicant's disclosure. Applicant respectfully submits that the cited prior art, either alone or in combination, does not anticipate, suggest or make obvious the instantly claimed invention.

CONCLUSION

For the foregoing reasons, Applicant respectfully submits that all of the stated grounds of rejection have been overcome, and that Claims 1-5 are in condition for allowance. An early Notice of Allowance is therefore respectfully requested.

Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact the Applicant's representative at the telephone number listed below.

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Application No.: 09/892,390
Response to Office Action of October 8, 2003
Attorney Docket: NORTI-452A

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

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